

REMARKS

In the Office Action mailed December 5, 2008, all of the pending claims (1-3, 5-10, 12-19, 21-26, 28-33, 35-40, and 42-44) were rejected. With this Amendment, claims 1, 8, 17, 24, 31, and 38 are amended and claims 1-3, 5-10, 12-19, 21-26, 28-33, 35-40, and 42-44 are presented for reconsideration and allowance.

Examiner Interview

On February 10, 2008, David R. Fairbairn and Carolyn H. Beck had an opportunity to interview Examiner Christopher Prone. During the Examiner Interview, Huebsch et al. (U.S. Pat. No. 5,853,422), hereinafter Huebsch '422, was distinguished from the presently claimed invention. Proposed amendments to claims 1 and 17 were also presented and discussed. Although no definitive agreement was reached, Examiner Prone's time and comments are greatly appreciated.

Claim Rejections 35 U.S.C § 103(a)

In the Office Action, claims 1-3, 5, 8-10, 12, 17-19, 21, 24-26, 28, 31-33, 35, 38-40, and 42 were rejected under 35 U.S.C § 103(a) as being unpatentable over Huebsch '422 in view of King et al. (U.S. Pat. No. 3,874,388), hereinafter King '388. Independent claims 1, 8, 17, 24, 31, and 38 are amended to further distinguish the structure of the presently claimed device over a combination of Huebsch '422 and King '388.

Amended claim 1 requires the floating center be positioned adjacent the center post without begin latched when the right occluding body is in its fully radially open state, and is movable away to the right from the center post by force applied to the grasping knob in a direction to the right to cause the puller arms to radially collapse the right occluding body. When the Huebsch '422 device is deployed into a fully radially open state, "floating center" permanently engages and latches to "fixed center" such that "puller arms" are incapable of radially collapsing the right occluding body. King '388 also fails to teach a floating center adjacent a center post without being latched when the right occluding body is in its fully radially open state.

Amended claims 8, 17, 24, 31 and 38 are similar in that they all require puller arms to collapse the right collapsible support frame/fixation device and right sheet/right occluding body/right set of support arms and right sheet from a fully radially open state where the floating center is adjacent without being permanently connected to the center section/center post to a radially collapsed state such that the device is capable of being retrieved. As explained above, latching center of the Huebsch '422 device prevents device retrieval once it has initially been deployed into its fully radially open state. King '388 also fails to teach a device having a floating center and center post that are adjacent without being permanently connected so that the device may be collapsed and retrieved.

In the Office Action, claims 6, 7, 13, 14, 22, 23, 29, 30, 36, 37, 43, and 44 were rejected under 35 U.S.C § 103(a) as being unpatentable over Huebsch '422 in view of King '388 as applied to claims 1-3, 5, 8-10, 12, 17-19, 21, 24-26, 28, 31-33, 35, 38-40, and 42 above, in further view of Forber et al. (U.S. Pat. No. 5,733,294), hereinafter Forber '294. Since Forber '294 too fails to provide the teachings missing from Huebsch '422 and King '388, each of the claims rejected is allowable over a combination of these references.

Conclusion

In view of the foregoing, all of the pending claims (1-3, 5-10, 12-19, 21-26, 28-33, 35-40, and 42-44) are believed to be in a condition for allowance. Notice to that effect is respectfully requested.

The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 11-0982.

Respectfully submitted,
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